IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO :33295 of 1997

Dated: 08.03.2007

Between:
B.Subbarao, S/o late Ramaiah, 58 years,
Agriculture, R/o Yerragunta (v), Chandrugonda
Mandal, Khammam District.

..... PETITIONER

AND

1.District Collector, Khammam Distrcit.
2.Special Deputy Collector (Tribal Welfare),
Palvancha, Khammam District.
3.Mandal Revenue Officer, Chandrugonda
Mandal, Khammam District.
4.Tati Lachamma, W/o Rajulu, R/o Ramachan-
drapuram post, Sathupalli Mandal,
Khammam District. … RESPONDENTS

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO. 33295 of 1997

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring that the action of the respondents proposing to give possession of the petitioner's land to an extent of Ac.3.36 guntas in Sy.Nos.101/(Sha), 101/(Sa) and 101/(Ha) instead of Ac.3.36 guntas in Sy.No.101/(Aloo) after proper identification of the same as illegal and arbitrary.

While admitting this writ petition, this Court, on 05.02.1998, declined to grant interim order in WPMP No.39146 of 1997 on the ground that the interim relief and the main relief are one and the same.

In the counter-affidavit filed on behalf of the respondents, it is stated that the petitioner, without exhausting the remedy of appeal under the statute, rushed to this Court by filing the present writ petition.

In the light of the same, this Court is of the view that this writ petition is misconceived as the petitioner is having an alternative remedy of appeal against the impugned order.

The writ petition is accordingly dismissed. No costs.

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(GOPALA KRISHNA TAMADA, J)

08-03-2007
Gsn.